



MEMORANDUM

TO: Parks and Recreation Board

FROM: Michael J. Heitz, AIA, Director
Parks and Recreation Department

DATE: November 5, 1992

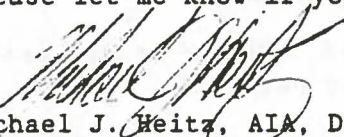
SUBJECT: Revision of Board Policy on Use Agreements (Easements)

I am attaching a copy of the proposed revision of the Parks and Recreation Board's policy on "easements," now termed "use agreements," which was adopted on April 25, 1990.

The proposed changes reflect discussions with the Law Department, the City Manager, and affected department directors.

I recommend approval of the proposed revisions.

Please let me know if you need additional information.


Michael J. Heitz, AIA, Director
Parks and Recreation Department

Parkland Easements
Austin Parks and Recreation Board Policy

~~4.-----The--"Construction--in-Parks--Specifications",--as--adopted-by--the
Parks---and--Recreation--Board,--shall--be--requirements--for--all
construction-within-parkland.~~

4.5. Temporary uses easements shall expire on completion of the construction project, which shall not exceed a period of 5 years after the date of approval of the project by the Parks and Recreation Board.

The construction project shall include all construction and the establishment of all restoration planting. ~~If construction on the project has not begun within 2 years of the date of approval by the Board, the easement shall not be valid.~~ Reapproval shall be required if construction has not commenced within two years.

5.6. For use of parkland requested by a non-City of Austin Public Utility, an appraisal report of the proposed permanent and temporary use easements shall be supplied by the Appraisal Review Section of the Real Estate Services Division of the Public Works Department to PARD staff for presentation to the Parks and Recreation Board.

Any non-City of Austin request for the use of parkland shall be required to obtain a License Agreement. Such License Agreement shall include compensation based on the appraisal report.

6. For use of parkland requested by a City of Austin entity, indirect compensation shall be made through the City's normal budget process. This is most effectively done by annual financial transfers to the General Fund, a portion of which is allocated to the Parks and Recreation Department in the annual budget process.

7. If the parkland has been acquired or developed with assistance from State or Federal funding substitution of parkland may be required. Approval by the State or Federal agency involved may be required.

8.7. For a non-City of Austin entity fiscal surety shall be posted with the City of Austin, Planning and Development Department; to cover the Parks and Recreation Department estimated cost of revegetation and maintenance to ensure that the parkland is restored to a condition equal to or better than that existing before construction.



MEMORANDUM

TO: Parks and Recreation Board

FROM: Michael J. Heitz, AIA, Director
Parks and Recreation Department

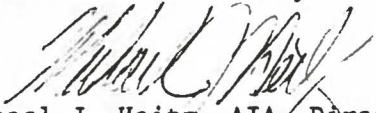
DATE: November 5, 1992

SUBJECT: Town Lake Park, Zilker Park
South Austin Outfall Relief Main, Phase II
2.363 ac. Sanitary Sewer Parkland Use Agreement
6.147 ac. Temporary Construction Parkland Use Agreement

Attached is the request from the Public Works and Transportation Department on behalf of the Water and Wastewater Utility for parkland use agreements for the South Austin Outfall Relief Main, Phase II.

In the terms of the proposed revised parkland use agreement (easement) policy, the request complies with Chapter 26 of the Texas Parks and Wildlife Code and with the "Construction in Parks Specifications." On this basis, I recommend approval.

Please let me know if you need additional information.


Michael J. Heitz, AIA, Director
Parks and Recreation Department



MEMORANDUM

TO: Manuel A. Mollinedo, Director
Parks and Recreation Department

FROM: Wm. R. Stockton, P.E., Director
Department of Public Works and Transportation

DATE: May 12, 1992

SUBJECT: Request for Easements Across Parkland
South Austin Outfall Relief Main, Phase II
CIP No. 443-237-0749

The Department of Public Works and Transportation, on behalf of the Water and Wastewater Utility, hereby requests permanent and temporary workspace easements for the construction and maintenance of the South Austin Outfall Relief Main, Phase II, CIP No. 443-237-0749. Attached please find the following documents to support this request:

- A. Information Packet,
- B. Temporary Workspace Map,
- C. Metes and Bounds Field Note descriptions of the permanent sanitary sewer easements, and
- D. Metes and Bounds Field Note descriptions of the temporary workspace sanitary sewer easements.

From the above mentioned documents, you will note that the proposed permanent sanitary sewer easements contain approximately 2.363 acres of parkland. In addition, temporary workspace sanitary sewer easements will be required on both sides of the permanent easements which contain approximately 6.147 acres of additional parkland.

Phase II of the South Austin Outfall Relief Main will include construction of 3,650 linear feet of 48-inch wastewater interceptor. All of this work will be located on parkland. The design engineer is Espey, Huston & Associates, Inc.

Public Works staff, in cooperation with Parks and Recreation Department staff, have agreed that the proposed alignment for Phase II of the South Austin Relief Main is the most reasonable and prudent route for the wastewater interceptor. All site restoration will be completed in accordance with the City of Austin's "Standard Specifications" and "Construction Standards" and with PARD's "Construction in Parks Standards."

Manuel A. Mollinedo, Director
May 12, 1992
Page Two

Please prepare the necessary documentation for consideration of this matter by the Parks and Recreation Board. We would request that this matter be placed on the May 26th agenda of the Board.

Thank you for your assistance in this matter. If you have any questions or require additional information to support this request, please feel free to contact James R. Clarno, P.E. of my staff at 499-7160.

~~A. DOUGLAS RADEMAKER~~

f

Wm. R. Stockton, P.E., Director
Department of Public Works and Transportation

WRS:jc

attachments

cc: Randy J. Goss, P.E.
J. Chris Lippe, P.E.
A. Douglas Rademaker, P.E.
James R. Clarno, P.E.
Joseph Morahan
Peter Marsh
file

INTRODUCTION

The Department of Public Works and Transportation, on behalf of the Water and Wastewater Utility, is proposing to construct Phase II of the South Austin Outfall Relief Main to replace an existing wastewater interceptor and to allow for the abandonment of two existing sewage lift stations near the Barton Creek Pool. In conjunction with this project, Public Works is requesting authorization to build portions of the wastewater interceptor on parklands.

Phase II of the Outfall Relief Main will replace an existing 24-inch diameter interceptor located in Robert E. Lee Road, Barton Springs Road and Sterzing Street and an existing 30-inch diameter interceptor located in Toomey Road west of the Zachary Scott Theatre. The 24-inch diameter section is now subject to surcharge conditions and both sections have insufficient capacity for presently committed wastewater flows. Upon completion and acceptance of the Relief Main, the existing Barton Creek and Zilker Park lift stations will be abandoned and the equipment removed. Funding for Phase II of this project was included in the 1984 and 1985 bond programs of the Water and Wastewater Utility.

PROJECT NEED AND JUSTIFICATION

The present South Austin Outfall consists of 6.4 miles of 24-inch to 54-inch pipe between the Govalle Wastewater Treatment Plant and Barton Creek along the south bank of Town Lake. In addition to the gravity wastewater interceptor, three major lift stations and force mains are located in the outfall collection system. These are shown on Figure 1. The lift stations are Montopolis, Barton Creek and Zilker Lift Stations. The present service area of the Outfall (by gravity flow) includes approximately 9,022 acres of land located between Town Lake and Ben White Boulevard, bounded on the east by US 183 and on the west by Barton Creek. Additional developed land located in the Barton Creek and Eanes Creek watersheds are also tributary to the system by pumping. Wastewater flows are also pumped into the outfall collection system from several other adjoining areas.

The engineering firm of Espey, Huston & Associates (EHA) was selected to evaluate the capacity of the South Austin Outfall system at existing and projected future flow conditions, and to perform the engineering design for the proposed improvements. The EHA report considered a 50-year planning period, to the year 2035, and evaluated capacity problems at 10-year intervals. Sections of the outfall found to be currently overloaded were the 30-inch segment in West Riverside Drive and the 24-inch segment receiving discharge from the Barton Creek and Zilker Park lift stations. The Barton Creek Lift Station was originally completed in 1977 and was upgraded in 1984. The lift station is in good condition, however it does not have a dedicated back-up power feed. The Zilker Park Lift Station was constructed in 1951. It is in fair condition and does not have a back-up control system nor a dedicated back-up power feed. The report recommended the replacement of the wastewater interceptor from South First Street to the Barton Creek Lift Station and the abandonment of both the Barton Creek and the Zilker Park Lift Stations which were fully committed at the time of the report.

PROJECT DESCRIPTION AND SCHEDULE

The proposed South Austin Outfall Relief Main project is divided into two phases, Phase I and Phase II. Figure 2 shows the location of Phases I and II of the proposed South Austin Outfall Relief Main.

Phase I, the downstream segment, begins at the intersection of West Riverside Drive and South First Street and terminates just west of the intersection of Toomey Road and Josephine Street. This Phase will consist of 4,500 linear feet of interceptor and has an anticipated construction cost of \$2,000,000. Bids will be received on June 11, 1992. Construction should commence by September 1, 1992 and be completed in the summer of 1993.

Phase II, the upstream segment, begins just west of the intersection of Toomey Road and Josephine Street and terminates at the existing Barton Creek Interceptor. This Phase will consist of 3,650 linear feet of interceptor and has an anticipated construction cost of \$2,700,000. It is scheduled for bidding in the late summer of 1992. Construction should commence by December 1992 and be completed in the late fall of 1993.

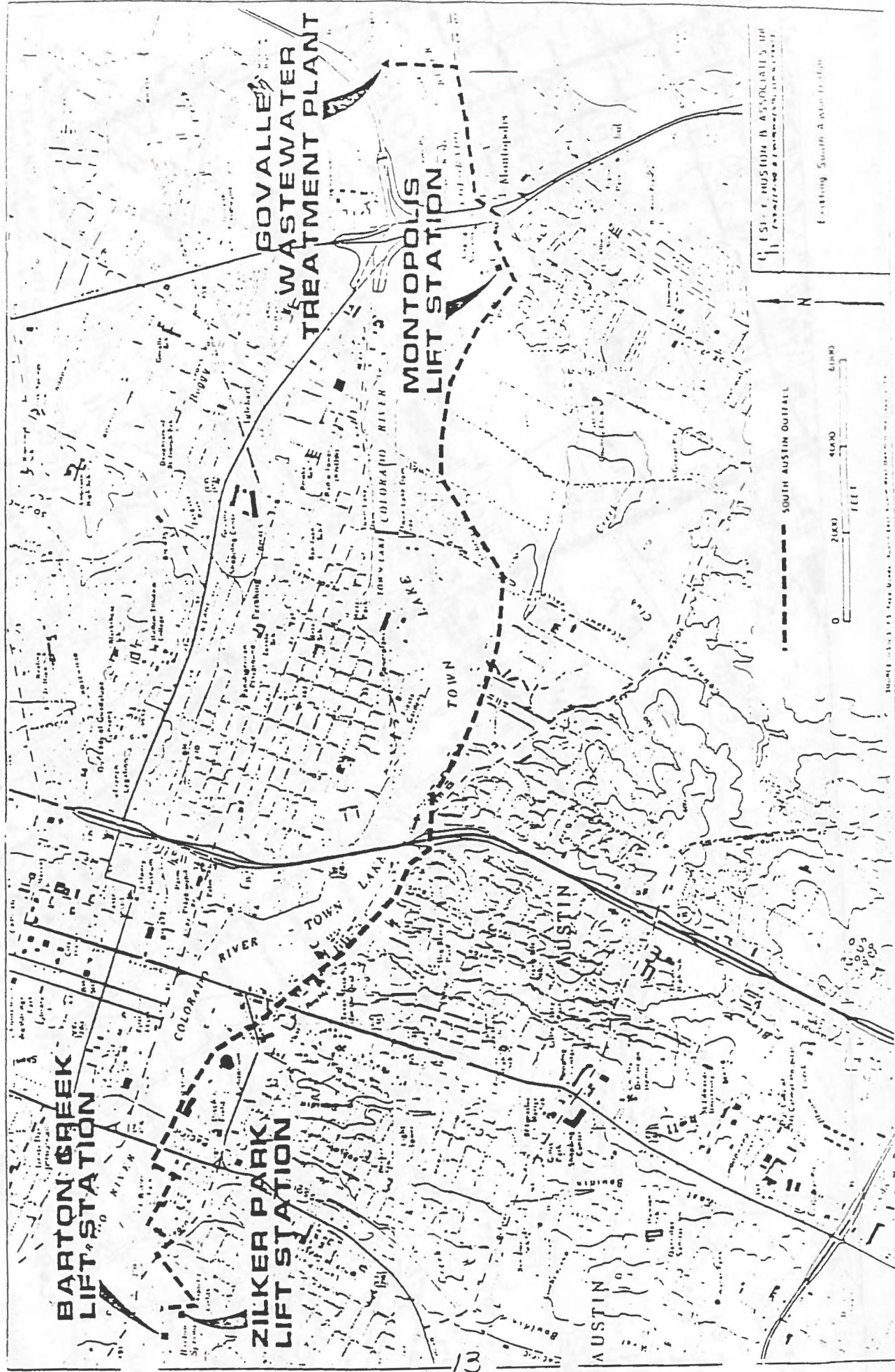
Phase I also included several lateral sewers to divert flows now being discharged into the existing wastewater interceptor to the new Outfall Relief Main.

SHORT TERM EFFECTS OF CONSTRUCTION

There will be several short term effects during construction. The proposed sequence of construction is intended to reduce, as much as possible, the interference with park functions and was prepared in conjunction with a schedule of activities furnished by PARD staff.

Most of the construction activities will be conducted within the proposed permanent easements. This includes the trenching, tunneling, pipe installation and backfilling operations. Much of this work along Toomey Road has been designed to occur within existing parking areas. Much of the work in Zilker Park has been designed to occur within the proposed tunnel. Parkland used for recreation that will be affected by Phase II includes two of the little league and softball fields along Toomey Road and one of the soccer fields in Zilker Park. The project scheduling has been developed to minimize the impact on recreational activities in these areas. Ground disturbance in the area of the open cut activities will include preconstruction clearing, trenching, temporary spoil and material storage, vehicle tracking and soil compaction. There will be little or no ground disturbance in the area of the tunnel activities. A traffic plan is included to reroute vehicular traffic around the construction areas. The traffic plan will also include rerouting the pedestrian traffic from the Town Lake Hike and Bike Trail.

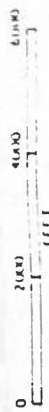
The adjacent temporary construction easements will be used primarily for material storage and for equipment and vehicle access.



U.S. GEOLOGICAL SURVEY
WASHINGTON, D.C. 20506

Geology South America

SOUTH AUSTIN OUTFALL



N

Source: U.S. Geological Survey, 1978. Data from aerial photography and ground surveys.

EXHIBIT A

PERMANENT
SANITARY SEWER EASEMENT/SAO
CITY OF AUSTIN
TO
CITY OF AUSTIN

DESCRIPTION

DESCRIPTION OF TWO STRIPS OF LAND IN THE ISAAC DECKER LEAGUE AND THE WILLIAM BARTON LABOR IN AUSTIN, TRAVIS COUNTY, TEXAS, SAME BEING PORTIONS OF THOSE CERTAIN TRACTS OF LAND DESCRIBED IN DEEDS TO THE CITY OF AUSTIN AS FOLLOWS: TRACT NO. FOUR (33.70 ACRES) IN VOLUME 681, PAGE 199; FIRST TRACT (280.5 ACRES) IN VOLUME 482, PAGE 129; AND FIRST TRACT (37.31 ACRES) IN VOLUME 302, PAGE 360; ALL OF THE DEED RECORDS IN TRAVIS COUNTY, TEXAS; SAID STRIPS OF LAND HEREINAFTER DESCRIBED AS STRIP NO. 1, A STRIP OF LAND THIRTY (30.00) FEET IN WIDTH AND TWENTY (20.00) FEET IN WIDTH; AND STRIP NO. 2, A STRIP OF LAND TEN (10.00) FEET IN WIDTH; SAID STRIPS OF LAND BEING REFERENCED TO THE STATIONING OF THE CENTERLINE OF STRIP NO. ONE; THE DESCRIPTION OF SAID STRIPS OF LAND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS AND THE DESCRIPTION OF SAID CENTERLINE OF STRIP NO. ONE BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

STRIP NO. 1

BEGINNING at a point in said City of Austin tract (681/199) and from which point, for reference, an iron bolt found at an interior ell corner of said City of Austin tract (681/199), same being referred to in said deed as the northeast corner of a tract of land originally belonging to R.P. Toomey, said point also being in the northerly line of Toomey Road, bears S53°03'45"E 178.19 feet, and from said reference point an additional bolt found in the southerly line of said City of Austin tract (681/199), same being in the northerly line of Toomey Road, bears N62°06'13"W 300.09 feet; said POINT OF BEGINNING also being known as Permanent Easement Strip No. 1 Centerline Station 40+28.56 Backward and Centerline Station 40+52.32 Forward and being 28.00 feet north of the northerly line of Toomey Road;

THENCE, with an easterly line of the herein described tract, crossing said City of Austin tract (681/199), S27°53'47"W 15.00 feet to the southeast corner of the herein described tract, same being a point 13.00 feet north of the northerly line of Toomey Road;

THENCE, with a southerly line of the herein described tract, crossing said City of Austin tracts (681/199 & 482/129) and being fifteen (15.00) feet south of and parallel with said centerline, the following six (6) courses:

- 1) N62°06'13"W 124.16 feet to a point 13.00 feet north of the northerly line of Toomey Road;

- 5) with said curve to the left, an arc distance of 234.32 feet, the chord of which bears N67°09'00"E 232.10 feet to the point of tangency of said curve ; and
- 6) N53°27'01"E, crossing Barton Springs Road, 685.67 feet to an interior ell corner of this tract, same being 10.00 feet north of Centerline Station 61+25.00;

THENCE, with a westerly line of the herein described tract, crossing said City of Austin tract (482/129), N36°32'59"W 5.00 feet to an exterior ell corner of the herein described tract, same being a point 15.00 feet north of Centerline Station 61+25.00;

THENCE, with a northerly line of the herein described tract, crossing said City of Austin tracts (482/129 & 681/199), and being fifteen (15.00) feet north of and parallel with said centerline, the following six (6) courses:

- 1) N53°27'01"E 142.65 feet;
- 2) N86°33'27"E 279.86 feet;
- 3) S49°06'44"E at approximately 171 feet pass the Zilker Park Railroad track, at approximately 260 feet pass the west bank of Barton Creek, and continuing across Barton Creek, at approximately 423 feet pass the east bank of Barton Creek, in all a total distance of 494.96 feet;
- 4) S36°50'55"E 259.52 feet;
- 5) S62°29'34"E 789.06 feet; and
- 6) S62°06'13"E 124.26 feet to the northeast corner of the herein described tract;

THENCE, with an easterly line of the herein described tract, and crossing said City of Austin tract (681/199), S27°53'47"W 15.00 feet to the POINT OF BEGINNING and containing 2.360 acres of land within these metes and bounds.

STRIP NO. 2

BEGINNING at a point in the south line of the herein described Strip No. 1, same being S62°29'34"E with said Strip No. 1 centerline 10.00 feet and S27°30'26"W 15.00 feet from Strip No. 1 Centerline Station 49+68.95;

THENCE, with the east line of the herein described tract, crossing said City of Austin tract (681/199) and being five (5.00) feet east of and parallel with the centerline of this tract, S27°30'26"W 13.00 feet to the north line of Toomey Road;

THENCE, with the south line of the herein described tract and of said City of Austin tract (681/199), with the north line of Toomey Road, N62°29'34"W 10.00 feet;

THENCE, with the west line of the herein described tract, crossing said City of Austin tract (681/199) and being five (5.00) feet west of and parallel with the centerline of this strip, N27°30'26"E 13.00 feet to the south line of the herein described Strip No. 1;

THENCE, with the north line of the herein described tract and the south line of the herein described Strip No. 1, crossing said City of Austin tract (681/199), S62°29'34"E 10.00 feet to the POINT OF BEGINNING and containing 130 square feet within these metes and bounds.

said southwest corner of Strip No. 1 the northwest corner of the concession stand at Barton Springs Swimming Pool bears S67°54'29"E 137.03 feet; the centerline of said Strip No. 1 shall become the centerline of the Sanitary Sewer Line as constructed from manhole to manhole or other structure or points of curvature and tangency as called for herein.

PREPARED FROM A PARTIAL GROUND SURVEY AND RECORD
INFORMATION BY: McGRAY & McGRAY LAND SURVEYORS, INC.
3301 Hancock Drive, Suite 6
Austin, Texas 78731 (512)451-8591

Judith J. McGray 12-23-87 & 4-10-92 4-20-92
Judith J. McGray Partial Survey Date Description Date
Reg. Professional Land Surveyor No. 2093

C.W:DESC.DE920084.DOC



FIELD NOTES REVIEWED
By Nike Ritten Date 5/13/92
Engineering Support Section
Department of Public Works
and Transportation

THENCE, northerly and perpendicular to said centerline, N53°09'05"E to a point 50.00 feet south of the portion of said centerline from Centerline Station 52+30.27 to 53+19 and its easterly prolongation;

THENCE, with a line 50.00 feet south of and parallel with the portion of said centerline from Centerline Station 52+30.27 to 53+19 and its easterly prolongation, N49°06'44"W approximately 95 feet to the west line of said City of Austin tract (681/199), same being the east edge of the waters of Barton Creek, at approximately Centerline Station 53+19;

THENCE, with the west line of said City of Austin tract (681/199), same being the east edge of the waters of Barton Creek, at approximately 52 feet passing Strip No. 1 Centerline at approximately Station 53+03, and continuing in all approximately 104 feet to a point 50.00 feet north of said centerline, at approximately Centerline Station 52+88;

THENCE, with a line 50.00 feet north of and parallel with the portion of said centerline from Centerline Station 52+88 to 52+30.27 and its easterly prolongation, S49°06'44"E approximately 85 feet to a point north of Centerline Station 52+15;

THENCE, northerly and perpendicular to said centerline, N53°09'05"E to a point 150.00 feet north of Centerline Station 52+15;

THENCE, with a line 150.00 feet north of and parallel with said centerline, S36°50'55"E 165.00 feet to a point north of Centerline Station 50+50;

THENCE, southerly and perpendicular to said centerline, S53°09'05"W 50.00 feet to a point 100.00 feet north of Centerline Station 50+50;

THENCE, with a line 100.00 feet north of and parallel with said centerline, S36°50'55"E 58.29 feet to a point in the bisector of the angle formed at Centerline Station 49+68.95 and continuing 100.00 feet north of and parallel with said centerline, S62°29'34"E 263.19 feet to a point north of Centerline Station 46+83;

THENCE, southerly and perpendicular to said centerline, S27°30'26"W to a point 2.00 feet west of a row of wooden guard posts, approximately 80 feet north of Centerline Station 46+83;

THENCE, southerly with a line 2.00 feet west of and parallel with said row of wooden guard posts to a point approximately 40 feet north of Centerline Station 46+47;

THENCE, easterly with a line 2.00 feet south of and parallel with said row of wooden guard posts, meandering from approximately 40 feet north of said centerline to approximately 33 feet north of said centerline at Centerline Station 46+00 to approximately 40 feet north of Centerline Station 43+56;

THENCE, southerly and perpendicular to said centerline, S27°30'26"W to a point 20.00 feet north of Centerline Station 43+56;

THENCE, with a line 20.00 feet north of and parallel with said centerline, S62°29'34"E 49.00 feet to a point north of Centerline Station 43+07;

THENCE, with a line 40.00 feet south of and parallel with the south chalk line of said Soccer Field #1, S69°26'43"E 479.37 feet to the point of intersection of this line with a line 80.00 feet north of and parallel with the centerline of said Strip No. 1, from which point Centerline Station 57+17.51 bears S27°12'42"W 82.33 feet;

THENCE, with a line 80.00 feet north of and parallel with said centerline, S49°06'44"E to a point 1.00 foot north of the back of the north curb of said Lou Neff Road, at approximately Centerline Station 55+80;

THENCE, easterly, perpendicular to and crossing said Lou Neff Road, to a point 1.00 foot south of the back of the south curb of said Lou Neff Road, at approximately 75 feet north of and approximately perpendicular to Centerline Station 55+50;

THENCE, with a line 1.00 foot south of and parallel with the back of the south curb of said Lou Neff Road, southerly to a point 50.00 feet north of said centerline, at approximately Centerline Station 55+60;

THENCE, with a line 50.00 feet north of and parallel to said centerline, S49°06'44"E to a point in the east line of said City of Austin tract (482/129), same being the west edge of the waters of Barton Creek, at approximately Centerline Station 54+49;

THENCE, with the east line of said City of Austin tract (482/129), same being the west edge of the waters of Barton Creek, southerly to the POINT OF BEGINNING.

TEMPORARY EASEMENT - PART C

BEGINNING at the northwest corner of this tract, from which point the northwest corner of Permanent Easement Strip No. 1 bears S05°34'44"E 9.54 feet, said POINT OF BEGINNING also being 19.51 feet north of and perpendicular to Centerline Station 81+57.04;

THENCE, with the north line of this tract, crossing an asphalt parking area, N63°28'03"E 80.82 feet to a concrete curb;

THENCE, with said concrete curb and with the east and south lines of this tract, the following six (6) courses:

- 1) S80°57'38"E 5.22 feet to the point of curvature of a curve whose radius is 23.63 feet;
- 2) with said curve to the right, an arc distance of 32.29 feet, the chord of which bears S41°48'59"E 29.84 feet;
- 3) S02°40'20"E at 16.33 feet passing Centerline Station 80+60.83, in all a total distance of 17.84 feet;
- 4) S11°20'05"E 52.32 feet to the point of curvature of a curve whose radius is 7.24 feet;
- 5) with said curve to the right, an arc distance of 12.04 feet, the chord of which bears S36°19'40"W 10.70 feet; and
- 6) S83°59'25"W 95.36 feet to the southwest corner of this tract;

THENCE, with the west line of this tract, leaving said concrete curb and crossing said asphalt parking area, N05°34'44"W at 45.46 feet passing the southwest corner of said permanent Easement Strip No. 1, from which southwest corner of said Permanent Easement Strip No. 1 the northwest corner of the concession stand at Barton Springs

- 8) S80°50'59"W 226.66 feet to Station 72+76.43, same being the point of curvature of a curve whose radius is 500.00 feet, interior angle is 14°16'37", and tangent distant is 62.62 feet, from which point a hub and tack set bears S80°50'59"W 62.62 feet;
- 9) with said curve to the left, an arc distance of 124.59 feet, the chord of which bears S73°42'41"W 124.27 feet to Station 74+01.02, same being the point of tangency of said curve;
- 10) S66°34'22"W 414.25 feet to Station 78+15.27;
- 11) S80°26'43"W at 8.00 feet passing an existing manhole at Station 78+23.27 feet, at 280.68 feet passing an existing manhole at Station 80+95.95, in all a total distance of 343.13 feet to Station 81+58.40, same being the POINT OF TERMINATION of this description, from said POINT OF TERMINATION the southwest corner of said Strip No. 1 bears S05°34'44"W 10.02 feet, and from said southwest corner of Strip No. 1 the northwest corner of the concession stand at Barton Springs Swimming Pool bears S67°54'29"E 137.03 feet; the centerline of said Strip No. 1 shall become the centerline of the Sanitary Sewer Line as constructed from manhole to manhole or other structure or points of curvature and tangency as called for herein.

PREPARED FROM A PARTIAL GROUND SURVEY AND RECORD
INFORMATION BY: McGRAY & McGRAY LAND SURVEYORS, INC.
3301 Hancock Drive, Suite 6
Austin, Texas 78731 (512)451-8591

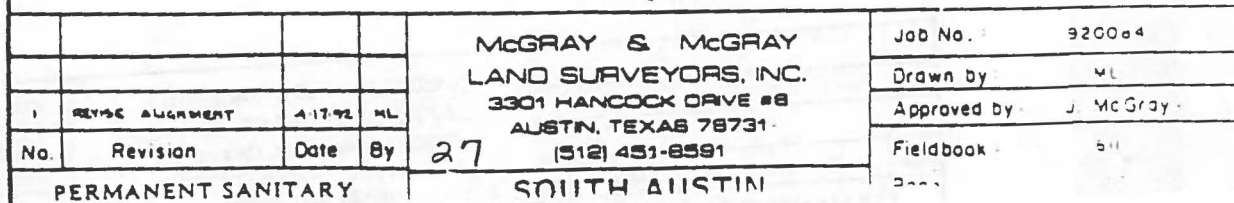
Judith J. McGray 12-23-87 & 4-10-92 5-8-92
Judith J. McGray Partial Survey Date Description Date
Reg. Professional Land Surveyor No. 2093

C:\W\DESC\920084-B.DOC



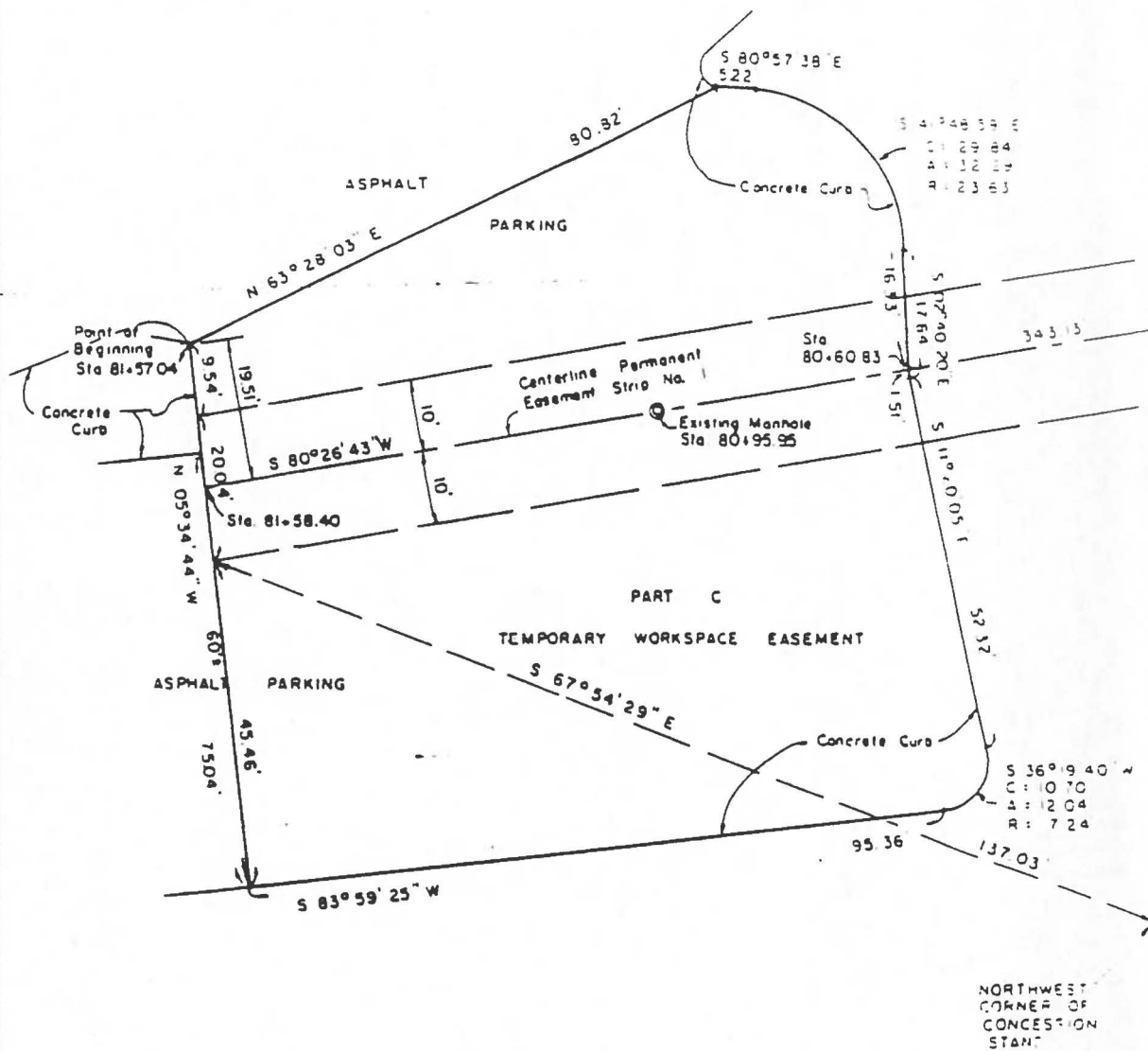
FIELD NOTES REVIEWED

B. *Mike Little* Date *5/13/99*
Engineering Support Section
Department of Public Works
and Transportation





SCALE 1" = 20'



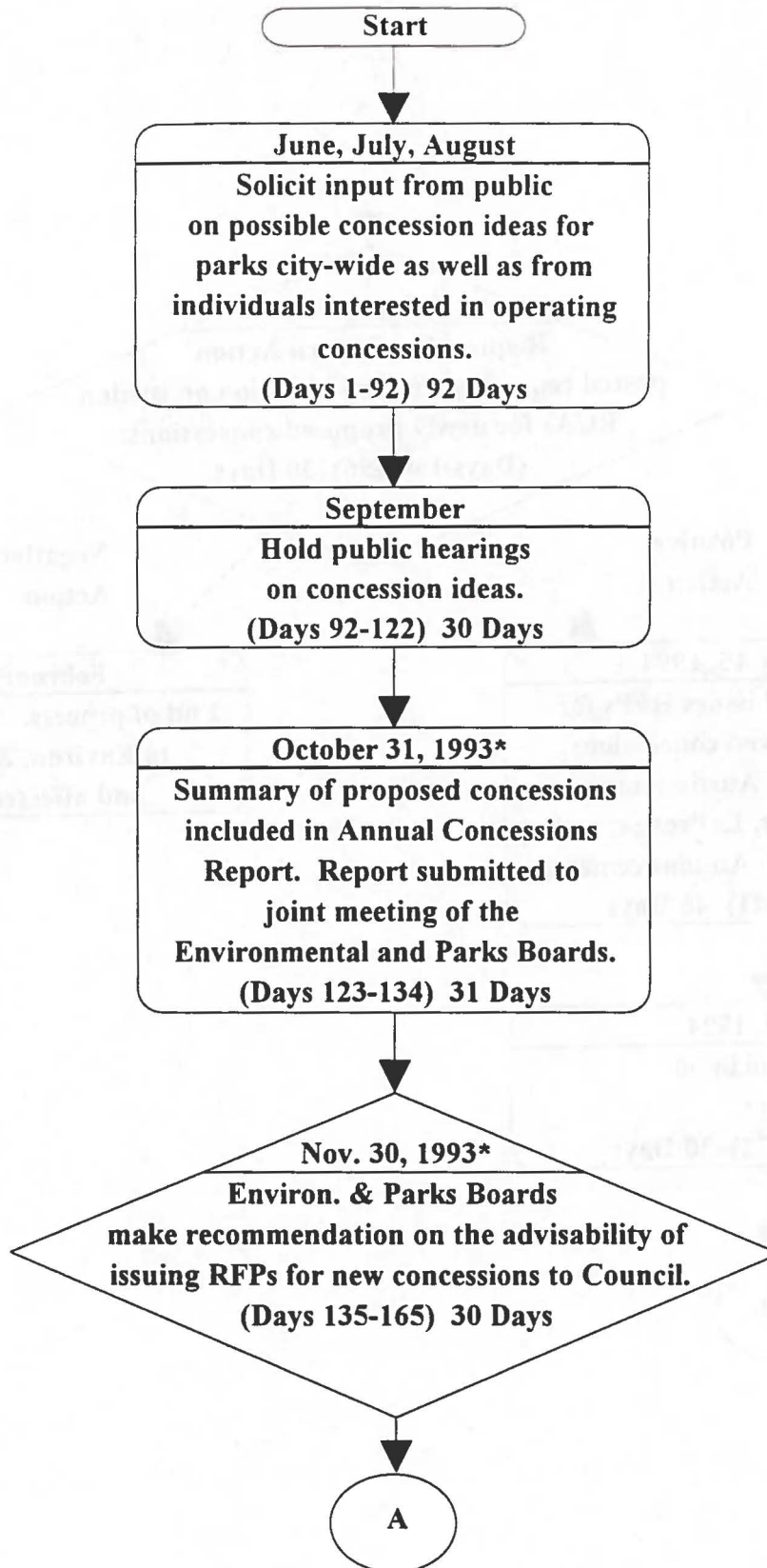
No.	Revision	Date	By

McGRAY & McGRAY
LAND SURVEYORS, INC.
3301 HANCOCK DRIVE #8
AUSTIN, TEXAS 78731
23 (512) 451-8381

Job No. 920084
Drawn by ML
Approved by J. McGray
Fieldbook

**Permanent Concession Policy
(New Concessions)**

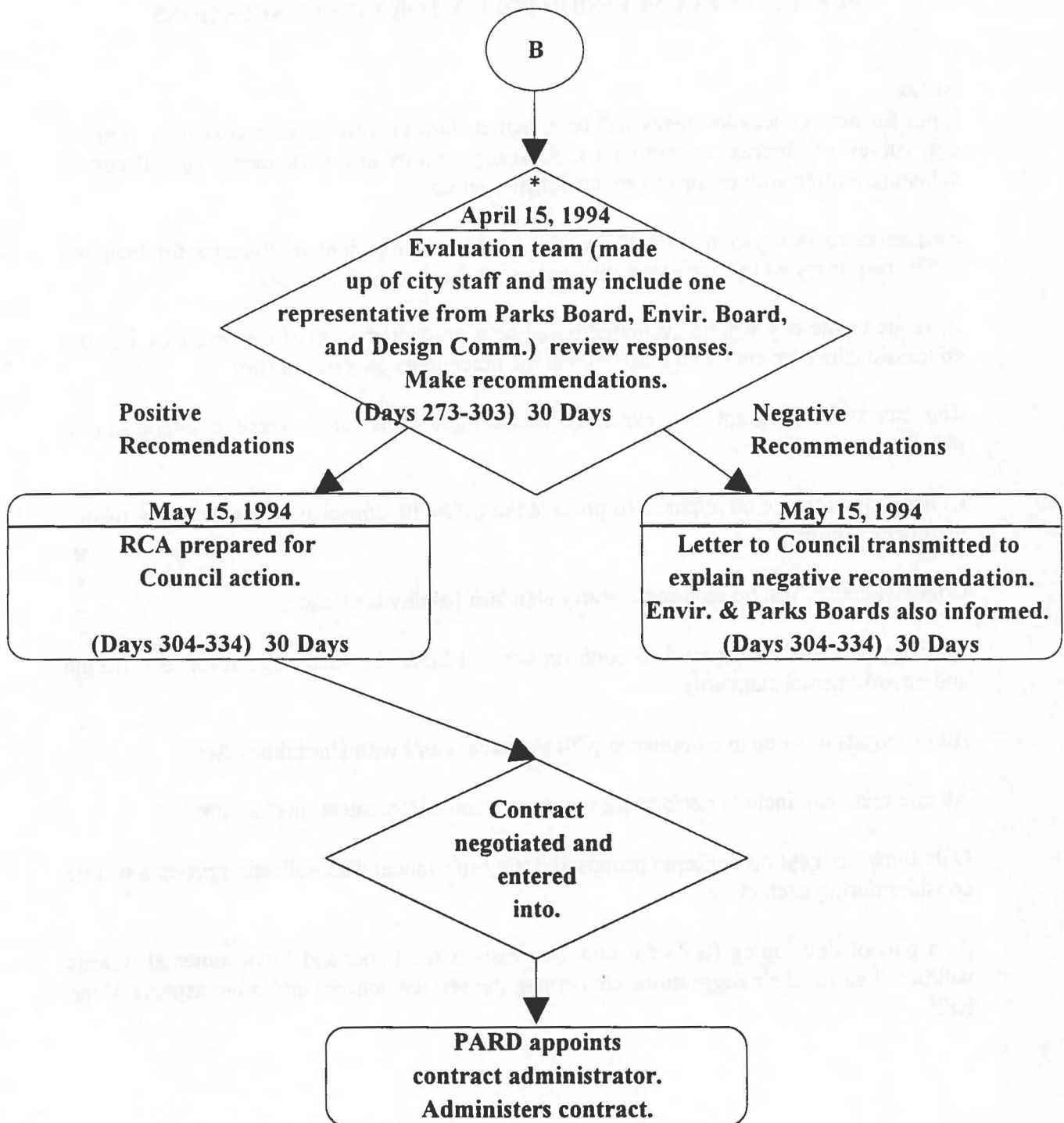
DRAFT



***As required by the Town Lake Ordinance**

Permanent Concession Policy
(New Concessions)

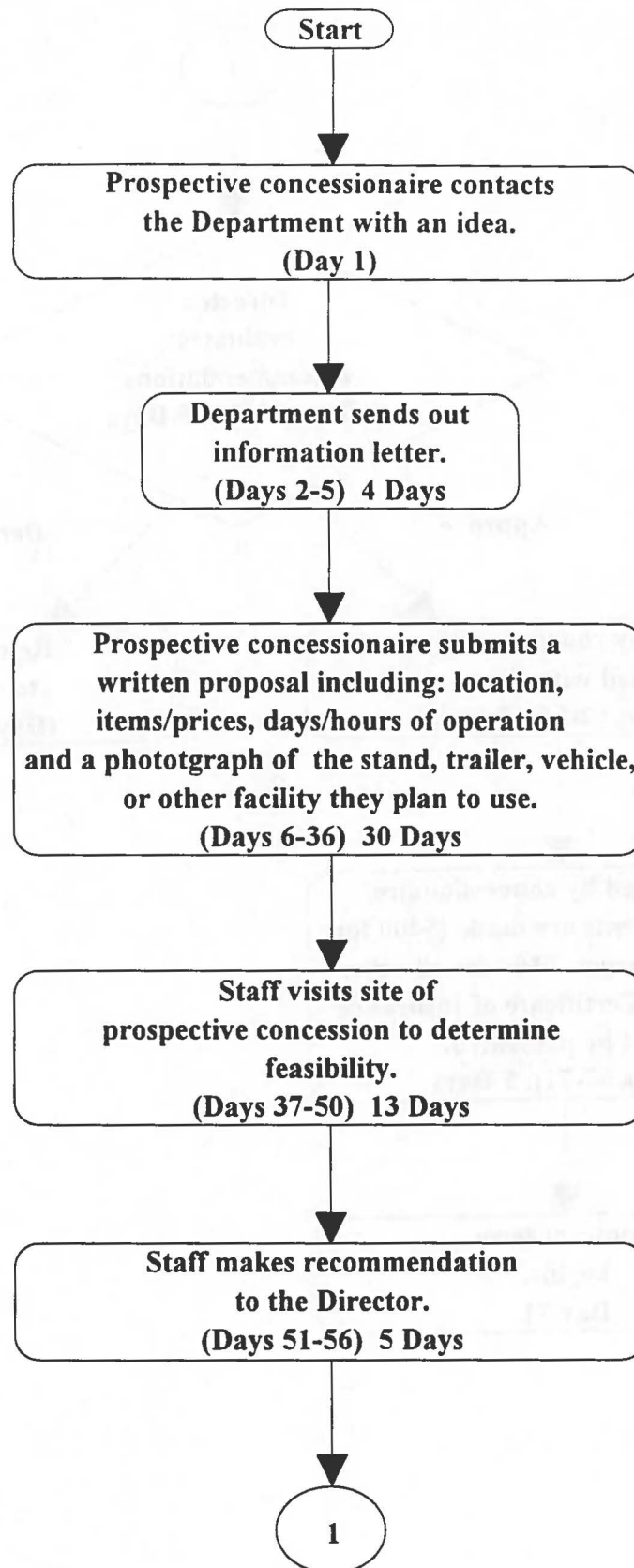
DRAFT



*As allowed in Town Lake Ordinance

TEMPORARY CONCESSION POLICY
(For Unsolicited Concessions)

DRAFT



INFORMATION FOR PROSPECTIVE CONCESSIONAIRES

City of Austin, Parks and Recreation Department

The Austin Parks and Recreation Department will accept written proposals for seasonal or temporary concessions which do not require a building or other type of permanent structure to conduct their operation. Contracts for such seasonal concessions will be limited to terms of one year or less, although they may be renewed for additional terms (maximum of two renewals) at the option of the Parks and Recreation Director. The following information must be included in concessions for temporary concessions.

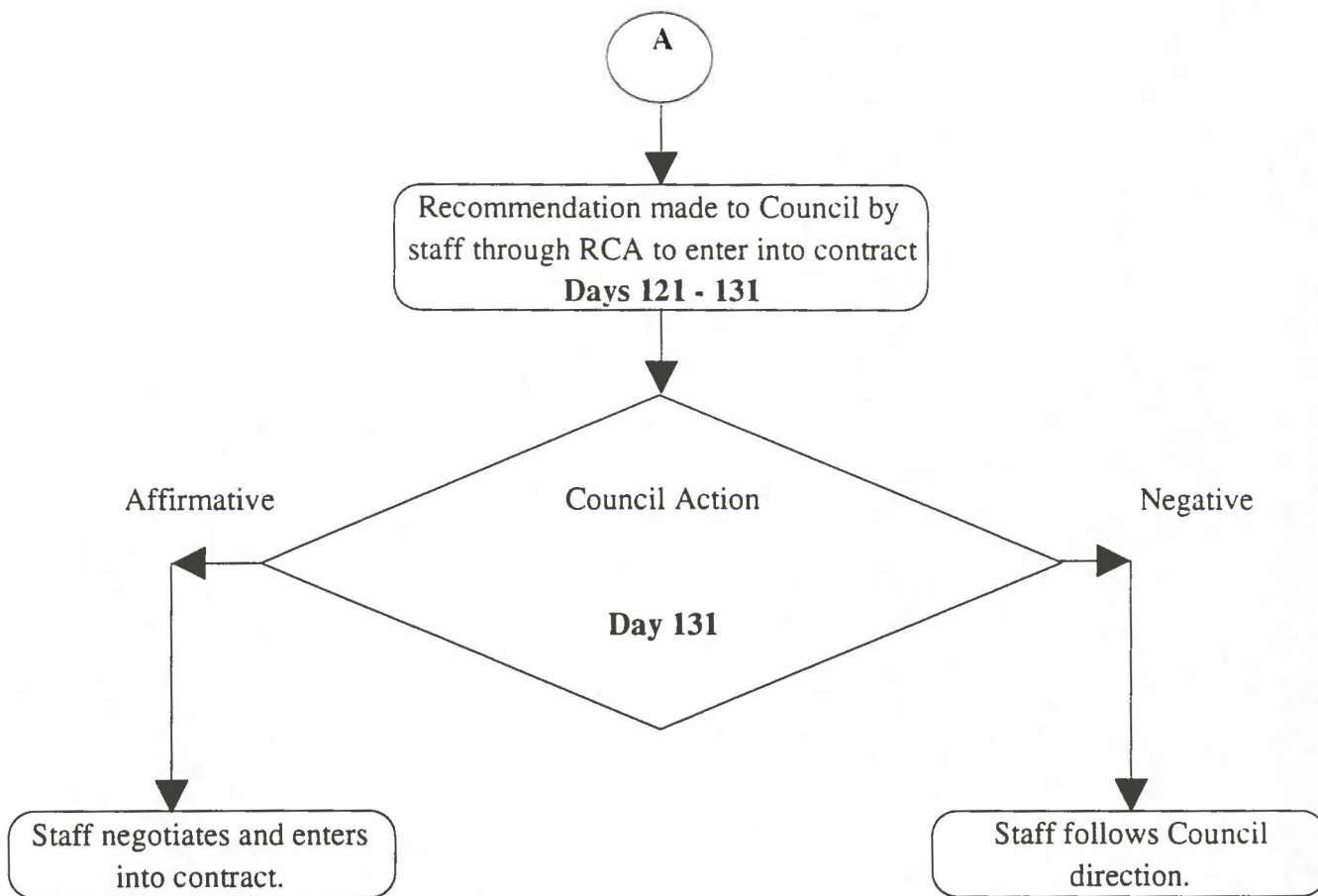
1. Location- Be as specific as possible; certain locations may not be allowed due to being too close to an existing concession, or may not be feasible because the area is frequently reserved or rented. List *at least two* alternate locations.
2. Items/Prices- What do you want to sell and how much do you intend to charge for it? Additional items may be added or prices changed with approval of the Parks Director.
3. Days/Hours of Operation- Please list the *minimum* time that you intend to operate and will always be open for business. You may open earlier or stay open longer than the time indicated in your contract if business is good, but closing early, or not showing up on schedule (except for inclement weather) may subject you to a fine or termination.
4. Photograph- Please include a photograph of the stand, trailer, vehicle, or other facility which you plan to use for your operation.
5. Fees- The temporary concession permit fee is \$1,000 for district or larger parks and \$250 for all other parks. This is charged for a six month permit to operate a temporary concession in place of the city collecting a portion of your sales. The \$1,000 fee will be paid over four months in increments of \$400, \$200, \$200, \$200; the \$250 fee will be paid over four months in increments of \$100, \$50, \$50, \$50. In both cases the first portion of the fee will be due at the time you sign your contract.

ADDITIONAL REQUIREMENTS

Sign- Each seasonal concession must post a sign listing a menu or items/prices, days and hours of operation, and a phone number (provided by PARD) for further information or registering complaints.

Insurance- At the time a contract is signed the concessionaire must provide a Certificate of Insurance naming the City as an additional insured which shows proof of Comprehensive General Liability Insurance with a combined single limit of \$500,000 per occurrence for coverages AB&C. State-required personal Automobile Liability Insurance acceptable to the City will also be required.

Please allow a minimum of two to three weeks to process your request after we have received your written proposal. Be sure and include a phone number where you can be reached if we need to get additional information.





MEMORANDUM

TO: Parks and Recreation Board

FROM: Michael J. Heitz, AIA, Director
Parks and Recreation Department

DATE: October 21, 1992

SUBJECT: Amendments to the Land Development Code.
Part E: Requirements for Construction of Boat Docks.
Prohibition of fencing that extends into the water.

At the September 22, 1992 Parks and Recreation Board meeting, unanimous approval was given to the motion from the Navigation Committee to recommend that no fences be allowed to extend into Lake Austin due to the navigation and life safety concerns.

An amendment to the relevant section of the Land Development Code has been drafted for review by the Law Department and subsequent approval by the City Council.

Recommendation

I recommend that the following amendment be made to Part E: Requirements for Construction of Boat Docks:

1. Section 13-2-790 Jurisdiction:

- * ADD "Fence means fence or similar construction and shall include but is not limited to walls, screens, and barriers."
- * ADD "Shoreline means the location where the edge of the water of the lake, at normal pool elevation, meets the land."

2. Section 13-2-795 Regulation:

- * ADD to (1) "and life safety." after "...hazard to navigation".

(1) A master contour map of all of the Hill Country Roadway Corridors indicating all proposed and approved land uses.

(2) A master file of all site plans for the Hill Country Roadway Corridors including all submitted site plans whether ultimately approved, disapproved or withdrawn.

(3) A master map showing all specific existing or potential scenic vistas, scenic overlooks, and the like, as identified by the Department of Planning and Development and by the scenic view analysis.

§ 13-2-785 WAIVERS OF HILL COUNTRY ROADWAY SITE DEVELOPMENT REQUIREMENTS.

The Planning Commission may waive one or more of the specific requirements applicable to sites located in a Hill Country Roadway Corridor upon a showing by the applicant that the Hill Country Roadway Regulations impose an undue hardship on the tract due to its peculiar configuration, topography, or location, or that the proposed project demonstrates the use of highly innovative architectural, site planning, or land use techniques. The Commission may approve any waiver to the minimum extent necessary to allow the project to be constructed. The applicant for any such waiver shall have the burden of showing that the proposed project, with such waiver granted, will be as good or better than a project developed in compliance with the Hill Country Roadway Corridor Regulations in terms of environmental protection, aesthetic enhancement, land use compatibility, and traffic considerations. The grant or denial of a waiver by the Commission pursuant to this section may be appealed to the Council.

PART E: Requirements for Construction of Boat Docks

§ 13-2-790 JURISDICTION.

DEVELOPMENT has the same meaning as signed in § 13-1-22 and shall further include the alteration or improvement of a shoreline, bed, bank or floodplain of a waterway.

NORMAL POOL LEVELS means the elevation above sea level for the following bodies of water respectively:

Lake Austin. 492.8 feet.

Town Lake. 429.0 feet.

Lake Walter E. Long. 554.5 feet.

RESIDENTIAL DOCK means a dock, wharf, pier, float, island or other similar structure erected, installed, placed, used or maintained along the shoreline of Lake Austin, Town Lake, or Lake Long for the purpose of providing a stationary landing for fishing or swimming or for the anchoring, mooring, housing, or storing of not more than one vessel.

(Am. Ord. 891214-O, eff. 12-24-89)

§ 13-2-791 PERMIT REQUIRED FOR BOAT DOCK CONSTRUCTION.

(a) It is unlawful for the owner or occupant of any property, or for any other person in connection with said property to develop, erect, construct, or structurally alter, or cause, direct or authorize the development, erection, construction, or structural alteration of any dock, wharf, pier, float, island, or other similar structure in or along the shores of Lake Austin in the area below a contour elevation of 504.9 feet above mean sea level, or in or along the shores of Town Lake in the area below a contour elevation of 435 feet above mean sea level or in or along the shores of Lake Long, without first obtaining a permit authorizing such development, erection, construction, or structural alteration.

(b) The Building Official, as well as the Director of the Parks and Recreation Department, shall have the authority to place an identification or registration tag on any such dock, wharf, pier, float, island, or other similar structure subject to the provisions of this article as is necessary and appropriate. It shall be unlawful to remove, or cause to be removed any such identification tag affixed by such authority.

(c) Any permit obtained under this section shall be prominently displayed at the construction site at all times prior to final inspection and approval by the Building Official.

structure farthest from the shoreline.

(2) Longer than 50 feet: light stations shall be located at points no more than 25 feet from any other light stations and no closer than eight feet to the shoreline.

(B) In the dimension parallel with the shoreline:

(1) Less than 25 feet long: one light station on the side of the structure farthest from and parallel to the shoreline, and located at the end so as to be visible to all properly approaching watercraft.

(2) Longer than 25 feet but less than 50 feet long: one light at each end of the structure on the side farthest from the shoreline.

(3) 50 feet or longer: one light station at each end of the structure on the side farthest from the shoreline and light stations located so that they are not more than 25 feet from any other light station.

(3) Each light station required by this section shall have a two-bulb fixture, with two working light bulbs rated between 7½ and 25 watts. Light bulbs or bulb covers shall be amber, so that no white light radiates from the fixture.

(4) Light fixtures shall be wired with a switch operated by a photoelectric cell so that the lights will operate automatically during the hours the structure is required to be lighted by this section.

(5) That portion of the wiring which is on the structure shall be enclosed in rigid conduit. Such conduit may be metallic or nonmetallic, or weatherproof flexible conduit with appropriate fittings.

(6) Weatherproof lamp holders and junction boxes shall be used to install the light fixtures for each light.

(7) The lighting requirements set forth in this section shall not be deemed to prohibit use of additional lights so long as the minimum requirements are met; however, no lights other than amber navigation lights shall be installed on any such structure which shall cast beams of light outward from the structure.

(8) The lighting requirements of this section shall not apply to structures located on inlets or sloughs, except that the lighting requirements shall apply to such structures located on Bee Creek and on Bull Creek.

(9) Structures which require navigation lights under section 13-2-793(a) shall provide temporary navigation lights that meet the requirements of this Code during construction, until the permanent navigation lights installed on the structure are working.

(10) All boat docks, wharves, piers, floats, islands or other similar structures in or along the shores of Lake Austin, Town Lake or Lake Walter E. Long shall comply with the above-stated requirements by not later than April 30, 1991.

(11) If it is found that the navigation light stations on a structure do not comply with the requirements of this section, the building official or such other city official as may be authorized shall post notice on the structure and shall notify the owner by mail of the violation. The owner of the premises in which a structure which has been found to be in violation of this section shall be, upon conviction, guilty of a misdemeanor and shall be fined not less than \$200. (Am. Ord. 891214-O, eff. 12-24-89)

§ 13-2-794 APPLICATION.

(a) No application for a permit shall be approved to build more than two residential docks, piers, wharfs, floats, islands or other similar structures on a single lot zoned MF-1 Residential or more restrictive. A residential dock, wharf, pier, float, island, or other similar structure is defined as any structure erected, installed, placed, used or maintained along the shore line of Lake Austin, Town Lake, or Lake Walter E. Long for the purpose of providing a stationary landing for fishing, swimming, or the anchoring, mooring, housing, or storing of not more than a single vessel. The prohibition of this subsection shall not apply if:

(1) (A) The lot was platted and recorded prior to August 28, 1976; and

(B) Perpetual rights to use the water frontage of the lot were granted or conveyed to one or more owners of other lots in the subdivision prior to June 23, 1979; or,

permanent sanitation facilities which comply with all applicable ordinances and regulations.

(D) *Solid waste.* On-site facilities shall be provided for the collection of any garbage and trash that might be generated at the marina or common area and shall be removed in a timely manner by the operator of the facility. At least one trash can with a capacity of 32 gallons or larger shall be provided for every four picnic units and for every four boat slips.

(7) No business, such as a restaurant, dance hall, concession stand, or any other enterprise for the sale of goods, wares, and merchandise, and no living quarters of any character shall be erected on any pier or similar structure extending into or above Lake Austin, Town Lake, or Lake Walter E. Long, except upon a license agreement approved by the Council. Any such structure which may be built under a license agreement shall meet the lighting requirements of Section 13-2-793. The Parks and Recreation Board shall make recommendation to the Council on all license agreements to be issued under this subsection. (Am. Ord. 891214-O, eff. 12-24-89)

§ 13-2-796 DOCKS EXEMPT FROM CITY LICENSING REQUIREMENTS.

A dock constructed in accordance with the regulations in this Part and § 13-8-1 and located within the boundaries of a public drainage easement along Lake Austin, Town Lake, or Lake Walter E. Long is deemed not to interfere with the public's rights in the drainage easement and is authorized without the necessity of obtaining a license agreement from the city. Nothing in this section shall be construed to limit the review of a site plan for construction of a dock, wharf, pier, float, island, or other similar structure, as such review is established by this Land Development Code or other ordinance.

§ 13-2-797 FIRE PROTECTION.

Marinas and marine fuel facilities (service stations) shall provide adequate fire protection recommended and approved by the Fire Chief of the Austin Fire Department. Such recommendations shall be in accordance with the Fire Code and the National Fire Protection Association Standard 303, Marinas and

Boatyards (as amended).

(Am. Ord. 891214-O, eff. 12-24-89)

§ 13-2-798 ENVIRONMENTAL PROTECTION.

(a) Marine fuel facilities (service stations) shall comply with the requirements of Chapter 9-10, Article V of the City Code (the Hazardous Materials and Registration Ordinance) and shall be designed, maintained, and operated in a manner which prevents spillage or leakage of fuel or petroleum products into the water.

(b) All watercraft maintenance and repair shall be performed in a manner which prevents discharge of fuel, oil, or other pollutants into the water. (Am. Ord. 891214-O, eff. 12-24-89)

DIVISION 8. NONCOMPLYING STRUCTURES

§ 13-2-820 NONCOMPLYING STRUCTURES.

A noncomplying structure may be continued and may be enlarged, maintained, repaired, or altered. Except as provided in § 13-2-823, no such enlargement, maintenance, repair, or alteration shall create an additional noncompliance or increase the degree of existing noncompliance of all or any part of the structure. No building, structure, or property is made noncomplying solely as a result of a change in the use, zoning or development of adjacent property. No building or structure which complied with the Zoning Regulations in effect immediately prior to March 1, 1984, shall be deemed to have become or shall become noncomplying due to the passage of Ordinance 840301-S.

§ 13-2-821 EXISTING NONCOMPLYING STRUCTURES: DAMAGE OR DESTRUCTION.

Nothing in this section prevents the restoration within a period of 12 months of a noncomplying building or structure damaged or destroyed by fire, explosion, flood, tornado, riot, act of the public enemy, or accident of any kind, or the continuance of any use therein immediately prior to such damage or destruction. Any property which did not comply with

PROPOSED BYLAWS REVISION

Change: Article III, Section 3

"Appointments shall be made in June of each year for a two year period, with the Board Members to assume their duties at the first regular meeting in June of each year. A term will expire June 1 of the second year thereafter. If the City Council does not make appointments in June for any reason, the Board Member may continue to fulfill that slot on the Board until the new appointment is made. Five members will be appointed in odd numbered years and four members in even numbered years."

To:

"Appointments shall be made in June of each year for a two year period, with the Board Members to assume their duties at the first regular meeting in June of each year. A term will expire June 1 of the second year thereafter. If the City Council does not make appointments in June for any reason, the Board Member may continue to fulfill that slot on the Board until the new appointment is made. Four members will be appointed in odd numbered years and five members in even numbered years."

Change: Article V, Section 1

"The regular meetings of the Board shall be held on the second and fourth Tuesday nights of each month, unless otherwise determined by the Board. Additional information meetings for Board Members may be scheduled by the Chairperson, but these meetings are not considered regular meetings for attendance purposes and no business will be conducted."

To:

"The regular meeting of the Board shall be held on the fourth Tuesday night of each month, unless otherwise determined by the Board. Committee meetings and work sessions shall be held on the second Tuesday night of each month. Additional information meetings for Board Members may be scheduled by the Chairperson, but these meetings are not considered regular meetings for attendance purposes and no business will be conducted."

Immediate Overall Major Goals for 1992

1. Advocate for passage of the Parks Bond Propositions on the next bond election.

(Status: 100% completed.)

2. Create financial mechanism for receiving and managing private assets to benefit Austin Parks and Parks programming.

(Status: Beverly Griffith to make a report on the proposed Austin Parks Foundation at the 10/27 PARB Meeting.)

Concessions Committee

1. Study expanding train concession as transportation in Zilker Park.
2. Recommend awarding of contracts for:
 - a. Barton Springs Food and Drink Concession
 - b. Row Boat Concession
 - c. Carousel Concession
3. Refine concession policy and submit it to Austin City Council for adoption.

(Status: Train Concession to expire next year. It may be appropriate to explore transportation issue at that time. Concession policy to be reviewed at public hearing on 11/17 and final PARB vote on 11/24. Concession policy to Council on 12/3.)

Land and Facilities Committee

1. Complete options for separate Bike Trail on Town Lake.

(Status: Approved Zilker Loop trail extension. No longer looking at separate trails.)

2. Complete Hike and Bike Trail around Town Lake and connections to other trails.

(Status: Approved Zilker Loop trail extension.)

3. Advocate for regular use of CDBG funding for parks projects.

(Status: Progress made. Learned process and rules for developing a plan to restore CDBG funding to park projects.)

4. Study the need for additional public access for the Barton Creek greenbelt.

(Status: Barton Creek Greenway Study and Bond Money to acquire additional greenbelt and public access - needs to be watched for 1993.)

5. Complete Bull Creek greenbelt.

(Status: Benchmark established this year - continue to work with staff)

Program Committee (postponed for committee meeting)

1. Support and coordinate private fund raising for the benefit of PARD's public service goals.
2. Encourage citizen volunteer work in parks, playgrounds, pools and recreation centers working with individuals and organizations such as the Volunteer Center and Red Cross.
3. In order to advise the Manager and Council in a more informed way, review a monthly plan to actual summary of the current budget. The format should compare actual to approved expenditures.
4. Continue to monitor the at-risk youth, and recreation programs to evaluate where community resources can be utilized.
5. Identify ways to work with AISD for joint use of programs and facilities, especially for the summer playground program.
6. Emphasize youth programs for special needs children i.e., wheel chair bound, physical and mental disabilities.
7. Ensure public information staff, assist with all public relation for all youth programs.
8. Encourage involvement with youth athletic council.

REQUEST FOR DEVELOPMENT OF SUBJECT FILES ON BOARD ITEMS FOR ACTION

BACKGROUND:

Information on board actions for specific items are currently recorded in the board meeting minutes. While this is a good document of our activities, it makes historical review of actions in regards to specific categories and items difficult to access.

After reviewing this problem with the staff-board liaison, it was determined that creating subject files on board actions would be beneficial to both staff and board. In addition, it would not place an undue burden on staff to set these up and maintain them.

Therefore, it is requested that staff develop subject files from this day forward for all actions taken by the Parks and Recreation Board.



MEMORANDUM

TO: Parks and Recreation Board Members

FROM: Michael J. Heitz, AIA, Director
Parks and Recreation Department

DATE: November 2, 1992

SUBJECT: Expiration Date of Zilker Eagle Contract

As requested at the October 27, 1992 Parks and Recreation Board Meeting, the Law Department has been contacted concerning the actual expiration date of the Zilker Eagle Railroad Contract. Raul Calderon, Assistant City Attorney, verified that the contract expires on April 30, 1994, with a five year extension option.

Please let me know if you need further information.

A handwritten signature in black ink, appearing to read "Michael J. Heitz", is written over a horizontal line.

Michael J. Heitz, AIA, Director
Parks and Recreation Department



MEMORANDUM

TO: Parks and Recreation Board Members

FROM: Michael J. Heitz, AIA, Director
Parks and Recreation Department

DATE: November 5, 1992

SUBJECT: Yule Fest Information

The following information will be included in a special ad in the Austin American Statesman aimed at informing the citizens of Austin about the changes and procedures involved in the "new" Trail of Lights.

1. The event will be promoted as "Austin's Biggest Holiday Block Party."
2. The celebration will begin with the traditional lighting of the giant tree in Zilker Park on Sunday, December 6th at 6:00 p.m.
3. The 1992 Trail of Lights will debut a new format combining the lighted displays along River Road with Santa's House, the Casa Navidena, a live entertainment stage and refreshment/concession stands which were formerly located under the giant tree. The houses, live entertainment and concession stands will only operate from December 11th through 19th from 7:00 p.m. to 10:30 p.m. Parking and the giant tree are the only activities which will remain on the south side of Barton Springs Road.
4. The Trail of Lights will open on Friday, December 11th at 7:00 p.m. Pedestrian only nights are December 11 through 19 from 7:00 p.m. to 11:00 p.m. Motor Vehicle dates are December 20th through 24th, 26th and 27th from 7:00 p.m. to 11:00 p.m. The Trail of Lights will be closed on Christmas Day, December 25.
5. This year, for the first time, a parking fee of \$2.00 per vehicle will be charged in Zilker Park for all events at all times. The only exception will be free parking during the lighting ceremony for the giant tree.
6. Capital Metro will provide shuttle service from the Dillo stop on Bouldin Road near the City Coliseum. Shuttle service will be available on both pedestrian and vehicle nights and will cost 50 cents per person. Children six and under will ride free of charge.